

Electronically filed

RESPONSE TO RESTRICTION REQUIREMENT Address to: Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Docket No.	UCAL-217 CON
	Confirmation No.	8516
	Application No.	10/820,618
	Filing Date	April 7, 2004
	Examiner	M.D. Pak
	Group Art Unit	1646
	Title	<i>Methods of treating disorders relating to apoE</i>

Sir:

This communication is submitted in response to the Office Action mailed August 4, 2006. The Office Action set forth a one-month time period for response, making a response due on or before September 4, 2006. *A Petition for a four-Month Extension of Time is submitted herewith, making this amendment due on or before January 4, 2007.* Accordingly, this response is timely filed.

I. REMARKS

The Office Action set forth a Restriction Requirement and an Election of Species requirement.

Restriction Requirement

The Office Action required election of one of the following groups of claims:

- Group I: claims 1-6, 23, 24, 28, and 31;
- Group II: claims 7-11;
- Group III: claims 12-16;
- Group IV: claims 17-20;
- Group V: claims 21 and 22;
- Group VI: claim 26; and
- Group VII: claims 25, 27, 29, and 30.

The Office Action further required that Applicants elect one of :

- A. SEQ ID NO:1;
- B. SEQ ID NO:2
- C. SEQ ID NO:3
- D. SEQ ID NO:4.

Applicants hereby elect the claims of Group III (claims 12-16) and (A), with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine the entire application on the merits, even though the entire application includes claims to independent or distinct inventions. It is Applicants' position that it would not be unduly burdensome to perform a search on all of the claims together in the present application. It is Applicants' position that it would not be unduly burdensome to perform a search on SEQ ID NOs:1-4 together in the present application. Accordingly, Applicants traverse the restriction requirements.

Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.